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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SIMON ABIEANGA,

Defendant.

CASE NO. 5:21-MJ-00049-JLT

STIPULATION AND PROTECTIVE ORDER
BETWEEN THE UNITED STATES AND
DEFENDANT SIMON ABIEANGA

COURT: Hon. Stanley A. Boone

WHEREAS, the discovery in this case is voluminous and contains a large amount of personal and confidential information including but not limited to dates of birth, telephone numbers, driver's license numbers, and social security numbers ("Protected Information"); and,

WHEREAS, the parties desire to avoid both the necessity of large scale redactions and the unauthorized disclosure or dissemination of this information to anyone not a party to the court proceedings in this matter;

The parties agree that entry of a stipulated protective order is appropriate.

THEREFORE, Defendant SIMON ABIEANGA, by and through his counsel of record, Griffin Estes ("Defense Counsel"), and the United States of America, by and through Assistant United States Attorney Alexandre Dempsey, hereby agree and stipulate as follows:

1. This Court may enter a protective order pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure, and its general supervisory authority.

2. This Order pertains to all discovery provided to or made available to Defense Counsel as part of discovery in this case (hereafter, collectively known as “the discovery”).

3. By signing this Stipulation and Protective Order, Defense Counsel agrees not to share any documents that contain Protected Information with anyone other than Defense Counsel attorneys, designated defense investigators, and support staff. Defense Counsel may permit the Defendant to view unredacted documents in the presence of his attorney, defense investigators, and support staff. The parties agree that Defense Counsel, defense investigators, and support staff shall not allow the Defendant to copy Protected Information contained in the discovery. The parties agree that Defense Counsel, defense investigators, and support staff may provide the Defendant with copies of documents from which all Protected Information has been redacted.

4. The discovery and information therein may be used only in connection with the litigation of this case and for no other purpose. The discovery is now and will forever remain the property of the United States of America (“Government”). Defense Counsel will return the discovery to the Government or certify that it has been destroyed at the conclusion of the case¹.

5. Defense Counsel will store the discovery in a secure place and will use reasonable care to ensure that it is not disclosed to third persons in violation of this agreement.

6. Defense Counsel shall be responsible for advising the Defendant, employees, and other members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

7. In the event that Defendant substitutes counsel, undersigned Defense Counsel agrees to withhold discovery from new counsel unless and until substituted counsel agrees also to be bound by this Order.

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¹ The phrase “conclusion of the case” is meant to encompass any applicable appeals or collateral attack.

1 IT IS SO STIPULATED.

2 Dated: January 21, 2022

3 PHILLIP A. TALBERT
United States Attorney

4 By: /s/ALEXANDRE DEMPSEY
5 ALEXANDRE DEMPSEY
6 Assistant United States Attorney

7 Dated: January 21, 2022

8 By: /s/ Griffin Estes
9 GRIFFIN ESTES
Attorney for Defendant
SIMON ABIEANGA

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11 IT IS SO ORDERED.

12 Dated: **January 21, 2022**

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14 UNITED STATES MAGISTRATE JUDGE